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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;  
16 OTTOMOTTO LLC; OTTO TRUCKING  
17 LLC,

18 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF JORDAN R. JAFFE**

**REDACTED VERSION OF DOCUMENT  
SOUGHT TO BE SEALED**

**Hearing:**

**Date: April 27, 2017**

**Time: 8:00 a.m.**

**Place: 8, 19th Floor**

**Judge: The Honorable William H. Alsup**

1 I, Jordan R. Jaffe, hereby declares as follows.

2 1. I a member of the bar of the State of California and a partner with Quinn Emanuel  
3 Urquhart & Sullivan, LLP, counsel for Plaintiff Waymo LLC (“Waymo”). I make this declaration  
4 of personal, firsthand knowledge, and if called and sworn as a witness, I could and would testify  
5 competently as follows.

6 2. Attached hereto as Exhibit 1 is Plaintiff’s List of Asserted Trade Secrets, submitted  
7 pursuant to Cal. Civ. Code Proc. Section 2019.210.

8 3. Attached hereto as Exhibit 2 is a true and correct copy of a Waymo document titled  
9 [REDACTED].”

10 4. Attached hereto as Exhibit 3 is a true and correct copy of a Waymo document titled  
11 [REDACTED].”

12 5. Attached hereto as Exhibit 4 is a true and correct copy of a Waymo spreadsheet  
13 titled “[REDACTED].”

14 6. Attached hereto as Exhibit 5 is a true and correct copy of a Waymo spreadsheet  
15 titled “[REDACTED].”

16 7. Attached hereto as Exhibit 6 is a true and correct copy of a Waymo document titled  
17 “[REDACTED].”

18 8. Attached hereto as Exhibit 7 is a true and correct copy of a Waymo document titled  
19 [REDACTED].”

20 9. Attached hereto as Exhibit 8 is a true and correct copy of a Waymo document titled  
21 [REDACTED].”

22 10. Attached hereto as Exhibit 9 is a true and correct copy of a Waymo document titled  
23 [REDACTED].”

24 11. Attached hereto as Exhibit 10 is a true and correct copy of a Waymo document  
25 titled [REDACTED].”

26 12. Attached hereto as Exhibit 11 is a true and correct copy of a Waymo document  
27 titled [REDACTED] Initial assessment.”

28

1           13.     Attached hereto as Exhibit 12 is a true and correct copy of a Waymo document  
2 titled "[REDACTED] Assembly Flowchart: Standard Operating Procedure."

3           14.     Attached hereto as Exhibit 13 is a true and correct copy of a Waymo document  
4 titled "[REDACTED] Testing Station."

5           15.     Attached hereto as Exhibit 14 is a true and correct copy of a Waymo document  
6 titled "Chauffeur Weekly Updates."

7           16.     Attached hereto as Exhibit 15 is a true and correct copy of a Waymo document  
8 titled "[REDACTED] tuning instructions."

9           17.     Attached hereto as Exhibit 16 is a true and correct copy of a Waymo document  
10 titled "[REDACTED] Intensity Calibration."

11           18.     Attached hereto as Exhibit 17 is a true and correct copy of a Waymo document  
12 titled "[REDACTED] Extrinsic Calibration."

13           19.     Attached hereto as Exhibit 18 is a true and correct copy of a Waymo document  
14 titled "[REDACTED]"

15           20.     Attached hereto as Exhibit 19 is a true and correct copy of a Waymo document  
16 titled "Die Wire Bonding."

17           21.     Attached hereto as Exhibit 20 is a true and correct copy of a Waymo document  
18 titled "External Vendors and Consultants List."

19           22.     Attached hereto as Exhibit 21 is a true and correct copy of a Waymo document  
20 titled "Automation Vendors."

21           23.     Attached hereto as Exhibit 22 is a true and correct copy of a blog post titled "What  
22 we're driving at," dated October 9, 2010, and downloaded from  
23 <http://googleblog.blogspot.com/2010/10/what-were-driving-at.html> on March 8, 2017.

24           24.     Attached hereto as Exhibit 23 is a true and correct copy of an article titled "Public  
25 Records Suggest One Company is Dominating the Self-Driving Cars Race," dated December 13,  
26 2016, and downloaded from [https://www.forbes.com/sites/alanohnsman/2016/12/13/googles-](https://www.forbes.com/sites/alanohnsman/2016/12/13/googles-spins-off-self-driving-car-unit-as-waymo/#16059f0433b9)  
27 [spins-off-self-driving-car-unit-as-waymo/#16059f0433b9](https://www.forbes.com/sites/alanohnsman/2016/12/13/googles-spins-off-self-driving-car-unit-as-waymo/#16059f0433b9) on March 8, 2017.

28

1           25.     Attached hereto as Exhibit 24 is a true and correct copy of an article titled “Google  
2 Spins Off Self-Driving Car Unit As ‘Waymo,’” dated March 10, 2016, and downloaded from  
3 <http://www.theatlantic.com/technology/archive/2016/03/beep-beep/473142/> on March 8, 2017.

4           26.     Attached hereto as Exhibit 25 is a true and correct copy of an article titled “Google  
5 Parent Company Spins Off Self-Driving Car Business,” dated December 13, 2016, and  
6 downloaded from [http://www.nytimes.com/2016/12/13/technology/google-parent-company-spins-](http://www.nytimes.com/2016/12/13/technology/google-parent-company-spins-off-waymo-self-driving-car-business.html)  
7 [off-waymo-self-driving-car-business.html](http://www.nytimes.com/2016/12/13/technology/google-parent-company-spins-off-waymo-self-driving-car-business.html) on March 8, 2017.

8           27.     Attached hereto as Exhibit 26 is a true and correct copy of a blog post titled “Just  
9 press go: designing a self-driving vehicle,” dated May 27, 2014, and downloaded from  
10 <http://googleblog.blogspot.com/2014/05/just-press-go-designing-self-driving.html> on March 8,  
11 2017.

12           28.     Attached hereto as Exhibit 27 is a true and correct copy of an article titled “Google  
13 made a self-driving car, and it doesn’t have a steering wheel,” dated May 27, 2014, and  
14 downloaded from [http://www.theverge.com/2014/5/27/5756436/this-is-googles-own-self-driving-](http://www.theverge.com/2014/5/27/5756436/this-is-googles-own-self-driving-car)  
15 [car](http://www.theverge.com/2014/5/27/5756436/this-is-googles-own-self-driving-car) on March 8, 2017.

16           29.     Attached hereto as Exhibit 28 is a true and correct copy of an article titled  
17 “Google’s Self-Driving Car Hits Roads Next Month – Without a Wheel or Pedals,” dated  
18 December 23, 2014, and downloaded from [http://www.wired.com/2014/12/google-self-driving-](http://www.wired.com/2014/12/google-self-driving-car-prototype-2/)  
19 [car-prototype-2/](http://www.wired.com/2014/12/google-self-driving-car-prototype-2/) on March 8, 2017.

20           30.     Attached hereto as Exhibit 29 is a true and correct copy of an article titled  
21 “Google’s adorable self-driving cars are now on public roads,” dated June 25, 2015, and  
22 downloaded from [http://www.theverge.com/2015/6/25/8846617/google-self-driving-car-public-](http://www.theverge.com/2015/6/25/8846617/google-self-driving-car-public-roads-mountain-view)  
23 [roads-mountain-view](http://www.theverge.com/2015/6/25/8846617/google-self-driving-car-public-roads-mountain-view) on March 8, 2017.

24           31.     Attached hereto as Exhibit 30 is a true and correct copy of an article titled  
25 “Google’s Self-Driving Car Prototypes Hit Public roads for the First Time,” dated June 25, 2015,  
26 and downloaded from [http://www.nbcnews.com/tech/innovation/googles-self-driving-car-](http://www.nbcnews.com/tech/innovation/googles-self-driving-car-prototypes-hit-public-roads-first-time-n381941)  
27 [prototypes-hit-public-roads-first-time-n381941](http://www.nbcnews.com/tech/innovation/googles-self-driving-car-prototypes-hit-public-roads-first-time-n381941) on March 8, 2017.

28

1           32. Attached hereto as Exhibit 31 is a true and correct copy of an article titled “Google  
2 launches Waymo and moves closer to self-driving cars,” dated December 13, 2016, and  
3 downloaded from <http://money.cnn.com/2016/12/13/technology/google-waymo/> on March 8,  
4 2017.

5           33. Attached hereto as Exhibit 32 is a true and correct copy of an article titled “Google  
6 Spin-off Waymo Set to Become Full-Fledged Automated Driving Provider,” dated January 8,  
7 2017, and downloaded from [http://www.forbes.com/sites/samabuelsamid/2017/01/08/google-spin-](http://www.forbes.com/sites/samabuelsamid/2017/01/08/google-spin-off-waymo-set-to-become-full-fledged-automated-driving-provder/print/)  
8 [off-waymo-set-to-become-full-fledged-automated-driving-provder/print/](http://www.forbes.com/sites/samabuelsamid/2017/01/08/google-spin-off-waymo-set-to-become-full-fledged-automated-driving-provder/print/) on March 8, 2017.

9           34. Attached hereto as Exhibit 33 is a true and correct copy of a blog post titled  
10 “Reliving the past: how these data centers drive us three million miles each day,” dated December  
11 13, 2016, and downloaded from [https://medium.com/waymo/reliving-the-past-how-these-data-](https://medium.com/waymo/reliving-the-past-how-these-data-centers-drive-us-three-million-miles-each-day-49a8695e8c75#.h6c9h62qh)  
12 [centers-drive-us-three-million-miles-each-day-49a8695e8c75#.h6c9h62qh](https://medium.com/waymo/reliving-the-past-how-these-data-centers-drive-us-three-million-miles-each-day-49a8695e8c75#.h6c9h62qh) on March 8, 2017.

13           35. Attached hereto as Exhibit 34 is a true and correct copy of an article titled “Waymo  
14 Reveals the Tech Inside Its Self-Driving Chrysler Minivans,” dated January 8, 2017, and  
15 downloaded from <http://fortune.com/2017/01/08/waymo-detroit-future/> on March 8, 2017.

16           36. Attached hereto as Exhibit 35 is a true and correct copy an article titled “Travis  
17 Kalanick on Uber’s bet on self-driving cars, ‘I can’t be wrong,’” dated August 18, 2016, and  
18 downloaded from [http://www.businessinsider.com/travis-kalanick-interview-on-self-driving-cars-](http://www.businessinsider.com/travis-kalanick-interview-on-self-driving-cars-future-driver-jobs-2016-8)  
19 [future-driver-jobs-2016-8](http://www.businessinsider.com/travis-kalanick-interview-on-self-driving-cars-future-driver-jobs-2016-8) on March 8, 2017.

20           37. Attached hereto as Exhibit 36 is a true and correct copy of an article titled “Uber  
21 gutted Carnegie Mellon’s top robotics lab to build self-driving cars,” dated May 19, 2015, and  
22 downloaded from [http://www.theverge.com/transportation/2015/5/19/8622831/uber-self-driving-](http://www.theverge.com/transportation/2015/5/19/8622831/uber-self-driving-cars-carnegie-mellon-poached)  
23 [cars-carnegie-mellon-poached](http://www.theverge.com/transportation/2015/5/19/8622831/uber-self-driving-cars-carnegie-mellon-poached) on March 8, 2017.

24           38. Attached hereto as Exhibit 37 is a true and correct copy of an article titled “After a  
25 year, Carnegie Mellon and Uber research initiative is stalled,” dated March 21, 2016, and  
26 downloaded from <http://www.reuters.com/article/us-uber-tech-research-idUSKCN0WN0WR> on  
27 March 8, 2017.

28

1           39.     Attached hereto as Exhibit 38 is a true and correct copy of Velodyne's product  
2 information page for the Velodyne HDL-64E, downloaded from [http://velodynelidar.com/hdl-](http://velodynelidar.com/hdl-64e.html)  
3 [64e.html](http://velodynelidar.com/hdl-64e.html) on March 8, 2017.

4           40.     Attached hereto as Exhibit 39 is a true and correct copy of an article titled "Uber set  
5 to offer driverless rides here" dated August 19, 2016, and downloaded from [http://www.post-](http://www.post-gazette.com/business/tech-news/2016/08/18/Uber-to-use-self-driving-cars-in-Pittsburgh-to-haul-people-in-next-few-weeks/stories/201608180155)  
6 [gazette.com/business/tech-news/2016/08/18/Uber-to-use-self-driving-cars-in-Pittsburgh-to-haul-](http://www.post-gazette.com/business/tech-news/2016/08/18/Uber-to-use-self-driving-cars-in-Pittsburgh-to-haul-people-in-next-few-weeks/stories/201608180155)  
7 [people-in-next-few-weeks/stories/201608180155](http://www.post-gazette.com/business/tech-news/2016/08/18/Uber-to-use-self-driving-cars-in-Pittsburgh-to-haul-people-in-next-few-weeks/stories/201608180155) on March 8, 2017.

8           41.     Attached hereto as Exhibit 40 is a true and correct copy of the "Whois Record" for  
9 "280Systems.com," downloaded from <http://whois.domaintools.com/280systems.com> on March  
10 10, 2017.

11           42.     Attached hereto as Exhibit 41 is a true and correct copy of the Delaware "Division  
12 of Corporations - Filing" record for "OttoMotto LLC" downloaded from  
13 <http://icis.corp.delaware.gov/Ecorp/EntitySearch/NameSearch.aspx> on March 10, 2017.

14           43.     Attached hereto as Exhibit 42 is a true and correct copy of the Delaware "Division  
15 of Corporations - Filing" record for "Otto Trucking LLC" downloaded from  
16 <http://icis.corp.delaware.gov/Ecorp/EntitySearch/NameSearch.aspx> on March 10, 2017.

17           44.     Attached hereto as Exhibit 43 is a true and correct copy an article titled "Uber's  
18 First Self-Driving Fleet Arrives in Pittsburgh This Month," dated August 18, 2016, and  
19 downloaded from [http://www.bloomberg.com/news/features/2016-08-18/uber-s-first-self-driving-](http://www.bloomberg.com/news/features/2016-08-18/uber-s-first-self-driving-fleet-arrives-in-pittsburgh-this-month-is06r7on)  
20 [fleet-arrives-in-pittsburgh-this-month-is06r7on](http://www.bloomberg.com/news/features/2016-08-18/uber-s-first-self-driving-fleet-arrives-in-pittsburgh-this-month-is06r7on) on March 8, 2017.

21           45.     Attached hereto as Exhibit 44 is a true and correct copy an article titled "Uber  
22 Acquiring Otto Could Be the Lead Domino: Autonomous Vehicles to Spur M&A Activity," dated  
23 August 24, 2016, and downloaded from  
24 [http://www.forbes.com/sites/sarwantsingh/2016/08/24/uber-acquiring-otto-could-be-the-lead-](http://www.forbes.com/sites/sarwantsingh/2016/08/24/uber-acquiring-otto-could-be-the-lead-domino-autonomous-vehicles-to-spur-ma-activity/print/)  
25 [domino-autonomous-vehicles-to-spur-ma-activity/print/](http://www.forbes.com/sites/sarwantsingh/2016/08/24/uber-acquiring-otto-could-be-the-lead-domino-autonomous-vehicles-to-spur-ma-activity/print/) on March 8, 2017.

26           46.     Attached hereto as Exhibit 45 is a true and correct copy of blog post titled  
27 "Rethinking transportation," dated August 18, 2016, and downloaded from  
28 <http://newsroom.uber.com/rethinking-transportation/> on March 8, 2017.

1           47.     Attached hereto as Exhibit 46 is a true and correct copy an article titled “The Truth  
2 About Uber’s Otto Deal,” dated December 2, 2016, and downloaded from  
3 <http://www.theinformation.com/the-truth-about-ubers-otto-deal> on February 21, 2017.

4           48.     Attached hereto as Exhibit 47 is a true and correct copy an article titled “The man  
5 who invented the first self-driving motorcycle is leading Uber into the future,” dated December  
6 13, 2016, and downloaded from [http://www.businessinsider.com/anthony-levandowski-uber-](http://www.businessinsider.com/anthony-levandowski-uber-interview-2016-12)  
7 [interview-2016-12](http://www.businessinsider.com/anthony-levandowski-uber-interview-2016-12) on March 8, 2017.

8           49.     Exhibit 48 has been intentionally left blank.

9           50.     Exhibit 49 has been intentionally left blank.

10          51.     Exhibit 50 has been intentionally left blank.

11          52.     Attached hereto as Exhibit 51 is a true and correct copy of letter from Margaret A.  
12 McLetchie to the Nevada Governor’s Office of Economic Development and the Department of  
13 Motor Vehicles, subject “PUBLIC RECORDS REQUEST – IMMEDIATE ACTION  
14 REQUIRED,” dated February 3, 2017.

15          53.     Attached hereto as Exhibit 52 is a true and correct copy of a document entitled  
16 “Autonomous Technology Certification Facility License,” dated September 15, 2016.

17          54.     Attached hereto as Exhibit 53 is a true and correct copy an article titled “Meet the  
18 Former Google Engineer Who Allegedly Stole Trade Secrets For Uber,” dated February 23, 2017,  
19 and downloaded from [https://www.forbes.com/sites/briansolomon/2017/02/23/meet-the-former-](https://www.forbes.com/sites/briansolomon/2017/02/23/meet-the-former-google-engineer-who-allegedly-stole-secrets-for-uber-anthony-levandowski/#352876d5c5ea)  
20 [google-engineer-who-allegedly-stole-secrets-for-uber-anthony-levandowski/#352876d5c5ea](https://www.forbes.com/sites/briansolomon/2017/02/23/meet-the-former-google-engineer-who-allegedly-stole-secrets-for-uber-anthony-levandowski/#352876d5c5ea) on  
21 March 10, 2017.

22          55.     Attached hereto as Exhibit 54 is a true and correct copy an article titled “Tesla’s  
23 Getting More Competition in Self-Driving Cars,” dated February 23, 2017, and downloaded from  
24 <http://www.barrons.com/articles/teslas-getting-more-competition-in-self-driving-cars-1487022122>  
25 on March 10, 2017.

26          56.     Attached hereto as Exhibit 55 is a true and correct copy an article titled “Apple  
27 confirms it is working on self-driving cars,” dated December 4, 2016, and downloaded from  
28

1 [https://www.theguardian.com/technology/2016/dec/04/apple-confirms-it-is-working-on-self-](https://www.theguardian.com/technology/2016/dec/04/apple-confirms-it-is-working-on-self-driving-cars)  
 2 [driving-cars](https://www.theguardian.com/technology/2016/dec/04/apple-confirms-it-is-working-on-self-driving-cars) on March 10, 2017.

3 57. Attached hereto as Exhibit 56 is a true and correct copy an article titled “Taking a  
 4 ride in Nvidia’s self-driving car,” dated January 7, 2017, and downloaded from  
 5 <https://arstechnica.com/cars/2017/01/nvidia-audi-bb8-self-driving-car/> on March 10, 2017.

6 58. Attached hereto as Exhibit 57 is a true and correct copy of a February 23, 2017,  
 7 Bloomberg Technology article titled “Alphabet’s Waymo Alleges Uber Stole Self-Driving  
 8 Secrets” by Mark Bergen and Kartikay Mehrotra, available at  
 9 [https://www.bloomberg.com/news/articles/2017-02-23/alphabet-s-waymo-sues-uber-for-stealing-](https://www.bloomberg.com/news/articles/2017-02-23/alphabet-s-waymo-sues-uber-for-stealing-self-driving-patents)  
 10 [self-driving-patents](https://www.bloomberg.com/news/articles/2017-02-23/alphabet-s-waymo-sues-uber-for-stealing-self-driving-patents).

11 59. Attached hereto as Exhibit 58 is a true and correct copy of a February 24, 2017,  
 12 Business Insider article titled “Uber denies Google’s claims of stolen self-driving tech” by Steve  
 13 Kovach, available at [http://www.businessinsider.com/uber-shoots-down-googles-claims-of-stolen-](http://www.businessinsider.com/uber-shoots-down-googles-claims-of-stolen-self-driving-tech-2017-2)  
 14 [self-driving-tech-2017-2](http://www.businessinsider.com/uber-shoots-down-googles-claims-of-stolen-self-driving-tech-2017-2).

15 60. Attached hereto as Exhibit 59 is a true and correct copy of an April 8, 2013, order  
 16 in *GSI Tech., Inc. v. United Memories, Inc.*, Case No. 5:13-cv-01081-PSG (N.D. Cal. filed March  
 17 8, 2013).

18 61. Attached hereto as Exhibit 60 is a true and correct copy of Plaintiff NobelBiz,  
 19 Inc.’s First Set of Requests for Production of Documents and Other Tangible Things to Defendant  
 20 Jeff L. Wesson, filed as Exhibit A to the Declaration of Mark A. Konkel. These expedited  
 21 discovery requests were at issue in *NobelBiz Inc. v. Wesson*, No. 14cv0832 W(JLB), 2014 WL  
 22 1588715 (S.D. Cal. Apr. 18, 2014).

23 I declare under penalty of perjury under the laws of the State of California that the  
 24 foregoing is true and correct.

25 DATED: March 10, 2017

26 /s Jordan R. Jaffe  
 27 Jordan R. Jaffe  
 28